

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Remona Williams,

Plaintiff,

v.

Dynia & Associates, LLC  
dba Budzik & Dynia, LLC  
c/o Alfred S. Dynia  
4849 N. Milwaukee Avenue, Suite 801  
Chicago, IL 60630

Defendant.

Case No.

**COMPLAINT**

**Jury Demand Requested**

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**JURISDICTION AND VENUE**

- 1- This court has jurisdiction pursuant to 28 U.S.C. §1331 and 15 U.S.C. §1692k(d).
- 2- Venue is proper because a substantial part of the events giving rise to this claim occurred in this District.

**PARTIES**

- 3- Plaintiff is a resident of the State of Illinois.
- 4- Plaintiff incurred an obligation to pay money, the primary purpose of which was for personal, family, or household uses (the "Debt").
- 5- Defendant is a corporation with its principal place of business in the State of Illinois.
- 6- Defendant uses instruments of interstate commerce for its principal purpose of business, which is the collection of debts.
- 7- Defendant regularly attempts to collect, or attempts to collect, debts owed or due another.
- 8- At all times relevant, Defendant owned the Debt or was retained to collect the Debt.

**FACTS COMMON TO ALL COUNTS**

- 9- On or around September 11, 2012, Plaintiff filed a voluntary bankruptcy petition that included the Debt.
- 10- On or around January 3, 2013, Defendant sent Plaintiff a letter to collect the Debt.
- 11- At the time of this letter, Defendant knew, or should have known, that Plaintiff was in an active bankruptcy proceeding.
- 12- In this letter, Defendant threatened to file a lawsuit for the Debt if Plaintiff did not contact Defendant within 5 days of the letter.
- 13- Defendant's threat overshadowed Plaintiff's right to dispute the Debt within 30-days, as provided by 15 U.S.C. §1692g(b).
- 14- Defendant's attempt to collect a debt that is part of Plaintiff's bankruptcy violates the FDCPA. *See Ross v. RJM Acquisitions Funding, LLC*, 480 F.3d 493 (7th Cir. 2007).
- 15- Defendant damaged Plaintiff.
- 16- Defendant violated the FDCPA.

**COUNT I**

- 17- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.
- 18- Defendant violated 15 USC § 1692e(2) by sending Plaintiff a collection letter that sought to collect a debt that Defendant knew, or should have known, was included in Plaintiff's bankruptcy, thereby misrepresenting the legal status of the debt

**COUNT II**

- 19- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

20- Defendant violated 15 USC § 1692e(10) by falsely representing to Plaintiff that it could collect a debt that Defendant knew, or should have known, was included in Plaintiff's bankruptcy.

**COUNT III**

21- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

22- Defendant violated 15 USC § 1692g(b) by overshadowing Plaintiff's right to dispute within 30 days of the initial communication.

**COUNT IV**

23- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

24- Defendant violated 15 USC § 1692f by unfairly and unconscionably trying to collect a debt that Defendant knew, or should have known, was included in Plaintiff's bankruptcy.

**JURY DEMAND**

25- Plaintiff demands a trial by jury.

**PRAYER FOR RELIEF**

26- Plaintiff prays for the following relief:

- a. Judgment against Defendant for Plaintiff's actual damages, as determined at trial, suffered as a direct and proximate result Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(1);
- b. Judgment against Defendant for \$1,000 in statutory damages for Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(2)(A);
- c. Judgment against Defendant for Plaintiff's reasonable attorneys' fees and costs incurred in this action, pursuant to 15 U.S.C. §1692k(a)(3); and

- d. Any other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Meier LLC

By: /s/ Richard J. Meier

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